

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

GEORGE HOWARD WILSON,) Case No. CV 15-9546-PSG (JPR)
)
Plaintiff,)
vs.) ORDER ACCEPTING FINDINGS AND
J.D. SOTO et al.,) RECOMMENDATIONS OF U.S.
Defendants.) MAGISTRATE JUDGE
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)

The Court has reviewed the Complaint, records on file, and Report and Recommendation of U.S. Magistrate Judge. See 28 U.S.C. § 636. No objections to the Report and Recommendation have been filed. The Court accepts the findings and recommendations of the Magistrate Judge.

IT THEREFORE IS ORDERED that the following claims are dismissed from this lawsuit without leave to amend: Plaintiff's (1) Religious Land Use and Institutionalized Persons Act ("RLUIPA") claims against Defendants in their individual capacity, (2) RLUIPA claims against Defendants in their official capacity to the extent Plaintiff seeks money damages, (3) claim under California Civil Code § 52.3, and (4) § 1983 claims against

1 Defendants in their official capacity to the extent those claims
2 seek money damages. IT IS FURTHER ORDERED that the following
3 claims are dismissed from this lawsuit with leave to amend:
4 Plaintiff's (1) Eighth Amendment claim, (2) California Civil Code
5 section 51.7 claim, and (3) § 1983 claims against Defendants J.D.
6 Soto, G. Biaggini, T. Sebra, M. Nunez, and J. Diaz in their
7 individual capacity.

8 If Plaintiff desires to pursue any of his claims, he is
9 ORDERED to file a First Amended Complaint within 28 days of the
10 date of this Order, remedying the deficiencies discussed in the
11 R&R. The FAC should bear the docket number assigned to this
12 case, be labeled "First Amended Complaint," and be complete in
13 and of itself, without reference to the original Complaint or any
14 other pleading, attachment, or document. The Clerk is directed
15 to provide Plaintiff with another Central District of California
16 Civil Rights Complaint Form, CV-66, to facilitate Plaintiff's
17 filing of a FAC if he elects to proceed with this action.

18 **Plaintiff is admonished that if he fails to timely file a**
19 **sufficient FAC, the Court may dismiss this action for failure to**
20 **diligently prosecute.**

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23 DATED: 03/02/16



24 PHILIP S. GUTIERREZ
U.S. DISTRICT JUDGE

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